

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

LOUIS LEON WALTERS	§	
VS.	§	CIVIL ACTION NO. 1:10cv544
UNITED STATES MARSHAL SERVICE, ET AL.	§	

MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Louis Leon Walters, an inmate at the Travis County State Jail, proceeding *pro se*, brought the above-styled lawsuit.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff's motion for injunctive relief be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation.¹ This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court concludes plaintiff's objections are without merit. As set forth in the Report, plaintiff's motion is moot following his transfer to another facility. *See Herman v. Holiday*, 238 F.3d 660, 665 (5th Cir. 2001); *Cooper v. Sheriff, Lubbock County, Texas*,

¹ Plaintiff filed a Motion for Restraining Order (docket entry no. 20). Interpreted liberally, plaintiff's motion is construed as objections to the Report.

929 F.2d 1078, 1084 (5th Cir. 1991). Further, any suggestion of relief based on the possibility of a transfer back to Liberty County is too speculative to warrant relief. *See Herman*, 238 F.3d 665.

O R D E R

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. It is therefore

ORDERED that plaintiff's motion for injunctive relief is **DENIED**.

So **ORDERED** and **SIGNED** this **19** day of **August, 2011**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge